

Patti Higgins, Chair

Alaska Democratic Party

2602 Fairbanks Street

Anchorage, Alaska 99503

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2008 SEP 18 A 10:46

September 15, 2008

Thomasenia Duncan, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

MUR # 6076

Re: Complaint against Ted Stevens and Stevens for Senate Committee

Dear Ms. Duncan,

I write this letter to file a complaint pursuant to 2 U.S.C. § 437g(a)(1) against Ted Stevens, a candidate for re-election to the United States Senate from the state of Alaska, and his campaign committee, the Stevens for Senate Committee (the "Committee").

Respondents have plainly violated the Commission's disclaimer requirements for television communications. In two television advertisements that are airing on multiple stations in Alaska, Stevens failed to include a written statement at the end saying that he approved the advertisement. By refusing to follow the law, he has ignored Congress's mandate that he stand fully by the assertions made in the advertisements. Because paying for a television communication that does not include the required written statement represents a clear violation of federal law, the Commission should act immediately to investigate this matter and impose penalties against him and his campaign.

THE FACTS

Stevens' campaign committee has paid for two television advertisements that are airing on multiple stations in Alaska. A copy of the advertisements is attached.

Although a written disclaimer appears on screen in the middle of the advertisements, there is no written statement at the end of the advertisements.

ARGUMENT

When a candidate authorizes a television advertisement, he must include a written statement at the end of the advertisement indicating that he approved the communication. *See* 2 U.S.C. § 441d(d)(1)(B)(ii); 11 C.F.R. § 110.11(c)(3)(iii). The statement must appear in letters equal to or greater than four percent of the vertical picture height and must be visible for a period of at least four seconds. *See* 11 C.F.R. § 110.11(c)(3)(iii). This requirement is in addition to the requirement that the communication include an audio statement that identifies the candidate and states that he approved the communication, to ensure that voters who might not hear the audio of the ad can still discern that the candidate approved it. *See id.* § 110.11(c)(3)(i), (ii).


The purpose of the Commission's requirement is to require candidates to demonstrate their full support for the statements made in the preceding advertisement. Stevens failed to meet this requirement not once, but two times. The advertisements do not contain a written statement indicating his approval of the advertisements during any of the last four seconds of the advertisements. Rather than obey the law and take full responsibility for his advertisement, Stevens chose instead to follow his own, invented rules, and dodge a statutory mandate to be accountable for the assertions made in his advertisements. The result is a clear, black-and-white violation of federal law.

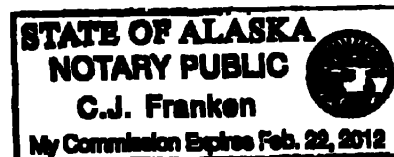
For these reasons, the Commission should immediately find reason to believe that Stevens and the Committee violated the law, and seek civil penalties commensurate with the amounts spent on the advertising.

Sincerely,


Patti Higgins, Chair

SUBSCRIBED AND SWORN to before me this 16th day of September, 2008.


Notary Public



My Commission Expires:

2/22/2012

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